

PLANNING COMMISSION MINUTES

February 14, 2001

CALL TO ORDER:

Chairman Vlad Voytilla called the meeting to order at 7:02 p.m. in the Beaverton City Hall Council Chambers at 4755 SW Griffith Drive.

ROLL CALL:

Present were Chairman Vlad Voytilla, Planning Commissioners Gary Bliss, Chuck Heckman, Eric Johansen, Brian Lynott and Dan Maks and Alternate Planning Commissioner Russell Davis. Planning Commissioner Bob Barnard was excused.

Senior Planner John Osterberg, Principal Planner Hal Bergsma, Senior Planner Barbara Fryer, Associate Planner Veronica Smith, Assistant City Attorney Ted Naemura and Recording Secretary Sandra Pearson represented staff.

The meeting was called to order by Chairman Voytilla, who presented the format for the meeting.

VISITORS:

Chairman Voytilla asked if there were any visitors in the audience wishing to address the Commission on any non-agenda issue or item. There were none.

STAFF COMMUNICATIONS:

On question, staff indicated there were no staff communications at this time.

OLD BUSINESS:

Chairman Voytilla opened the Public Hearing and read the format for Public Hearings. There were no disqualifications of the Planning Commission members. No one in the audience challenged the right of any Commissioner to hear any of the agenda items, to participate in the hearing or requested that the hearing be postponed to a later date. He asked if there were any ex parte contact, conflict of interest or disqualifications in any of the hearings on the agenda. There was no response.

1 **CONTINUANCES:**

2

3 **A. CUP 2000-0025 -- TREASURE ISLAND CHINESE RESTAURANT**
4 **CONDITIONAL USE PERMIT**

5 (Continued from January 10, 2001)

6 The applicant requests approval of a Conditional Use Permit (CUP) in order to
7 allow a new 5,590 square foot, 223-seat dine-in restaurant and associated parking
8 and landscaping at 15930 SW Regatta Lane. The site is zoned Office Commercial
9 (OC) and is approximately 0.7 acres. The development proposal is located on
10 Assessor's Map 1S1-05BA, Tax Lot 1600.

11

12 Observing that he is representing Associate Planner Tyler Ryerson, who is the
13 project manager for this application, Senior Planner John Osterberg pointed out
14 that this Public Hearing had been continued on January 10, 2001. He noted that
15 additional information and documentation requested, including the following: 1)
16 a letter from *Lancaster Engineering*, dated January 31, 2001; 2) a letter from the
17 applicant, Dennis Bolsinger, received February 2, 2001; and 3) Memorandum
18 from Transportation Engineer Sean Morrison, dated February 7, 2001; had been
19 received and submitted to members of the Planning Commission. Concluding, he
20 offered to respond to any questions or comments.

21

22 Commissioner Heckman questioned whether there had been any changes to staff's
23 opinion regarding this application.

24

25 Mr. Osterberg advised Commissioner Heckman that staff recommendation is still
26 for approval, adding that the information submitted confirms this
27 recommendation.

28

29 Commissioner Maks requested clarification of the date that this application had
30 been deemed complete.

31

32 Mr. Osterberg advised Commissioner Maks that the completeness of the
33 application had been perfected on October 18, 2000, although the applicant has
34 since requested a continuance and signed the necessary waiver of the 120-day
35 rule.

36

37 Commissioner Maks referred to Transportation Engineer Sean Morrison's
38 Memorandum dated February 7, 2001, and his reference to the ITE trip manual
39 impacts and the anticipated real impacts based upon the hours of operation of the
40 actual development, specifically what is meant by the term real impacts.

41

42 Mr. Osterberg indicated that he understands that Mr. Morrison had been referring
43 to two separate traffic issues, specifically impacts of this particular use, as well as
44 overall impacts of uses in the area, which he referred to as the real impact.

45

1 Commissioner Maks observed that the Traffic Engineer has the authority to
2 determine which peak periods are studied and questioned why the a.m. peak does
3 not appear to be significant to Mr. Morrison.
4

5 Mr. Osterberg pointed out that he believes that Mr. Morrison is describing the
6 County's traffic analysis thresholds, which had not included a.m. peaks, and the
7 previous county work that had been done for that area, adding that comparison is
8 difficult.
9

10 Commissioner Maks questioned why applicant has provided information
11 indicating that this produces a miniscule a.m. peak that exceeds the peaks
12 accepted under the traffic analysis prepared at the time of the subdivision.
13

14 Mr. Osterberg advised Commissioner Maks that he does not have the information
15 to address this question.
16

17 Commissioner Maks referred to the chart on page 2 of Mr. Morrison's
18 Memorandum, specifically the total ADT and 1994 Washington County totals and
19 the notation that indicates that all totals are derived from the ITE Trip Generation
20 Manual 6th Edition. He questioned whether this includes only those amounts that
21 add up to the total.
22

23 Mr. Osterberg observed that the footnote on page 1 refers to what the 1999 ADT
24 is, adding that this indicates the estimated county findings from the 1994 analysis.
25

26 **APPLICANT:**
27

28 **DENNIS BOLSINGER**, on behalf of *Treasure Island Chinese Restaurant*,
29 discussed the previous Public Hearing, which had been continued, emphasizing
30 that he had brought his traffic engineer, as requested. Observing that he
31 understands the concerns expressed by the Planning Commission, he expressed
32 his frustration that these particular requirements and expectations had not been
33 equally imposed on the previous applications for *International House of Pancakes*
34 or *Jack in the Box Restaurant*. He pointed out that in California, attempts are
35 made to locate restaurants together, creating what he referred to as "restaurant
36 rows". He mentioned that parking issues had been addressed, adding that the
37 proposed size of the restaurant had been reduced to 5400 square feet, in order to
38 meet the necessary parking requirements. He mentioned that while this use might
39 not adhere to the original plan for the area, it is harmonious with the other
40 restaurants in the vicinity.
41

42 **TODD MOBLEY**, representing *Lancaster Engineering*, offered to respond to
43 any questions or comments regarding traffic issues.
44

45 Commissioner Maks referred to the estimated a.m. peak, which is approximately a
46 10% increase and exceeds the a.m. peak in the initial traffic study, and questioned

1 the level of service at the intersection of 158th Avenue and Walker Road at the
2 a.m. peak.

3
4 Mr. Mobley advised Commissioner Maks that he does not have this information
5 with him at this time, adding that if this had been included in the original study,
6 the figures would be from 1994.

7
8 Commissioner Heckman requested clarification that nine traffic studies had been
9 conducted in this particular area since 1994.

10
11 Mr. Bolsinger informed Commissioner Heckman that at least seven traffic studies
12 had been prepared for this area, as follows: one for *McDonald's Restaurant*, one
13 for *International House of Pancakes*, two for *Kittelson & Associates*, two that he
14 had submitted, and one for the *Parr Development*. He discussed the specifics
15 regarding uses and traffic generated, expressing his opinion that the situation
16 involves different decks of cards.

17
18 Commissioner Maks questioned whether Mr. Bolsinger had been present during
19 the Public Hearing for the *Jack in the Box Restaurant*.

20
21 Mr. Bolsinger advised Commissioner Maks that he had not attended the *Jack in*
22 *the Box Restaurant* Public Hearing, although he had read every document
23 available pertaining to the issue.

24
25 Commissioner Heckman questioned the absence of data regarding the lunch hour
26 trip generation for *Evergreen Academy*, the medical office building and the retail
27 development, specifically whether the applicant had been unable to obtain this
28 information or had felt that it was not necessary.

29
30 Mr. Mobley advised Commissioner Heckman that this information is not included
31 in the ITE Trip Generation Manual normally because it is much lower than the
32 morning or evening peak hour.

33
34 Commissioner Heckman referred to Mr. Bolsinger's letter, specifically his
35 reference to comparable situations in California and whether he feels that
36 restaurant rows are actually a norm.

37
38 Mr. Bolsinger advised Commissioner Heckman that while restaurant rows are not
39 actually a norm, this is the desired process in which the developers of restaurants
40 in California have a tendency to attempt to locate together. He pointed out that
41 his client had been informed that a restaurant could be developed on this site,
42 emphasizing that the Planning Commission has the discretionary authority to
43 make such a decision.

44
45 Chairman Voytilla requested that Mr. Bolsinger stay on track and address
46 applicable criterion.

1 Observing that the City Council is actually the superior public entity authorized to
2 make this decision, Commissioner Heckman requested clarification of the trade
3 area that would be served by this proposed restaurant.
4

5 Mr. Bolsinger informed Commissioner Heckman that it is anticipated that the
6 restaurant would serve customers within a mile and a half radius of the site.
7

8 Observing that this particular restaurant would not be operating during the
9 morning hours, Commissioner Heckman pointed out that a CUP runs with the
10 land and a future owner or developer would have the option of operating during
11 this time.
12

13 Mr. Bolsinger assured Commissioner Heckman that he is aware of and
14 understands his concern with this issue.
15

16 Commissioner Heckman referred to page 2 of Mr. Bolsinger's letter, specifically
17 the second paragraph, which states that the tax base is considerably more than for
18 an office, which has no taxable equipment and fewer employees.
19

20 Mr. Bolsinger informed Commissioner Heckman that a restaurant involves tax for
21 the building and a land tax, adding that there is an additional equipment tax and
22 taxes. Observing that there are generally more employees than an office, he
23 expressed his opinion that restaurants generate a lot of tax base and revenue.
24

25 Chairman Voytilla questioned whether an analysis had been done for this
26 particular property regarding the size of a potential office building and its
27 occupancy load.
28

29 Mr. Bolsinger noted that this proposal involves the amount of available parking
30 and that this particular analysis had not been done. He pointed out that the small
31 lots would likely limit development to only one use.
32

33 Commissioner Heckman requested clarification of whether a restaurant would pay
34 more taxes to the City of Beaverton than a small office type structure, specifically
35 several levels of offices with parking below.
36

37 Mr. Bolsinger advised Commissioner Heckman that because he finds it difficult to
38 visualize this particular situation on this site he does not feel comfortable making
39 this determination.
40

41 Chairman Voytilla referred to the modification of the turnaround that the
42 applicant had designed, specifically how this affects the deliveries to the site.
43

44 Mr. Bolsinger informed Chairman Voytilla that he had run a truck path into the
45 area in order to make this determination for himself, agreeing that some of the
46 deliveries would be difficult.

1 Commissioner Heckman referred to the third paragraph of the second page of Mr.
2 Bolsinger's letter, requesting clarification of the statement that the harmony of the
3 development with the surrounding area is in its ability to meet the felt needs of the
4 community, adding that he is questioning specifically the term felt needs.

5
6 Mr. Bolsinger informed Commissioner Heckman that in his opinion, if a business
7 is in harmony with a particular neighborhood, it fulfills any existing restaurant
8 requirements.

9
10 On question, Mr. Mobley advised Chairman Voytilla that the EIT connected with
11 his name represents Engineer in Training.

12
13 **PUBLIC TESTIMONY:**

14
15 On question, no member of the public appeared to testify on this issue.

16
17 On question, staff indicated that there were no further comments at this time.

18
19 On question, the City Attorney indicated that he had no comments at this time.

20
21 The public portion of the Public Hearing was closed.

22
23 Commissioner Johansen expressed his agreement with locating these restaurants
24 together, emphasizing that the role of the Planning Commission is to determine
25 whether this is the most appropriate use for this particular property. He
26 mentioned that he is disappointed with staff's level of analysis with regard to the
27 projects in this area, emphasizing the necessity of appropriate development of
28 other properties in the surrounding neighborhood, which has become more
29 difficult to achieve. Observing that the transportation report is incomplete, he
30 pointed out that he is sympathetic to the applicant and that denial of an application
31 for what is most likely the only likely use for the site is counterproductive.
32 Expressing his support of the application, he emphasized the necessity of
33 providing better analyses for future applications.

34
35 Commissioner Maks stated that he partially agrees with Commissioner Johansen
36 and apologized to Mr. Bolsinger with regard to staff not providing him with all
37 the requirements up front, adding that because of the way this area has developed,
38 this is the best use for the property. He pointed out that staff should have advised
39 him that because the application would create more than 400 vehicular trips, it is
40 necessary to provide a traffic analysis within this scope, regardless of any that
41 have been previously done. He expressed his support of the application.

42
43 Observing that he did not support the application presented in July of 2000,
44 Commissioner Heckman commented that he does not feel that much has changed
45 since that time. Noting that nine other food services are available in this
46 immediate area, he emphasized that the Comprehensive Plan takes precedence

1 over what he feels is a good project and stated that he does not support the
2 application.

3
4 Chairman Voytilla commented that he shares his fellow Commissioners'
5 frustration with the inadequate information presented and the lack of analysis
6 done by staff, adding that he is not in support of the application.

7
8 Commissioner Bliss stated that the applicant had addressed his concerns and that
9 although he realizes that the situation is not ideal, he feels it can work. He noted
10 that he concurs with the comments of his fellow Commissioners, particularly
11 those of Commissioner Johansen, stating that he supports the application with
12 certain revisions and additional information.

13
14 Commissioner Johansen expressed his opinion that the area has not developed in a
15 manner that could not have been foreseen in 1994.

16
17 Commissioner Maks **MOVED** and Commissioner Bliss **SECONDED** a motion
18 that CUP 2000-0025 -- Treasure Island Chinese Restaurant Conditional Use
19 Permit, be approved, based upon the testimony, reports and exhibits presented
20 during the Public Hearing on the matter and upon the background facts, findings
21 and conclusions found in the Staff Report dated January 3, 2001, as amended; the
22 City Memorandum from Transportation Engineer Sean Morrison, dated February
23 7, 2001; the Lancaster Reports submitted February 2, 2001; and the Bolsinger
24 letter submitted February 2, 2001; including Conditions of Approval Nos. 1
25 through 5, and based upon this Public Hearing.

26
27 Motion **CARRIED**, by the following roll call vote:

28
29 Ayes: Bliss

Nays: Heckman

30 Johansen

Voytilla

31 Maks

32
33 8:17 p.m. -- Commissioner Lynott joined his fellow Commissioners.

34
35 **APPROVAL OF MINUTES:**

36
37 Minutes of the meeting of January 10, 2001, submitted. Commissioner Maks
38 referred to line 42 of page 18, requesting that it be amended, as follows:
39 "...emphasizing ~~that while it is difficult to educate~~ **the importance of educating**
40 **citizens, at least of the need and implementing** the appropriate policy ~~has been~~
41 **implemented.**" Commissioner Heckman referred to line 41 of page 8, requesting
42 that it be amended, as follows: "Mr. Ryerson advised ~~Chairman~~ **Commissioner**
43 **Maks...**" Commissioner Heckman referred to line 27 of page 14, requesting that
44 it be amended, as follows: "~~Chairman~~ **Commissioner** Maks urged the
45 applicant..." Commissioner Johansen **MOVED** and Commissioner Maks
46 **SECONDED** a motion that the minutes be approved, as amended.

1 Motion **CARRIED**, unanimously, with the exception of Commissioner Lynott,
2 who abstained from voting on this issue.

3 Minutes of the meeting of January 17, 2001, submitted. Observing that he had
4 been the only Commissioner in attendance, Chairman Voytilla expressed his
5 approval of the minutes, as written.

6
7 Minutes of the meeting of January 24, 2001, submitted. Commissioner Heckman
8 **MOVED** and Commissioner Johansen **SECONDED** a motion that the minutes be
9 approved as written.

10
11 Motion **CARRIED**, unanimously, with the exception of Commissioner Maks,
12 who abstained from voting on this issue.

13
14 8:22 p.m. to 8:33 p.m. -- break.

15
16 8:33 p.m. -- 8:17 p.m. -- Alternate Planning Commissioner Russell Davis joined
17 his fellow Commissioners for the work session.

18
19 Chairman Voytilla brought up a previous discussion regarding regular work
20 sessions with staff, suggesting that the Planning Commission meet at 6:30 p.m. on
21 certain nights for this purpose and that staff has indicated the possibility of
22 providing a meal.

23
24 Commissioner Maks commented that this is a good suggestion, expressing his
25 opinion that it is necessary to identify a singular topic for each work session prior
26 to the session, noting that the Planning Commission should be able to cover the
27 topic within the half-hour time frame.

28
29 Commissioner Bliss expressed his agreement with Commissioner Maks, adding
30 that he prefers that the work sessions be scheduled prior to the regular meetings.

31
32 Commissioner Johansen expressed his agreement with Commissioner Maks,
33 adding that periodic work sessions to cover multiple topics are a good idea.

34
35 Commissioner Lynott stated that he would like to be involved and available,
36 adding that he has no objection to a free meal.

37
38 Commissioner Heckman noted that his schedule for attending work sessions
39 would be very flexible as long as they are limited to Wednesdays, emphasizing
40 the importance of these work sessions prior to certain Public Hearings.

41
42 Alternate Commissioner Davis expressed his appreciation and support of the
43 proposed workshops and any efforts that improves communication between staff
44 and the Planning Commission. He expressed his concern that a half an hour
45 might not always be sufficient to address certain issues.
46

1 Chairman Voytilla mentioned that because his Wednesdays are no longer as
2 flexible as they once were, these workshops could create some scheduling
3 difficulties for him. He requested that staff provide copies of an updated roster to
4 all Planning Commissioners, adding that e-mail addresses should be included and
5 that he would like advance notification by e-mail of any absences.

6
7 Commissioner Johansen pointed out that the public should be made aware that
8 any workshop session involves subject matter unrelated to the agenda.

9
10 Principal Planner Bergsma suggested that any work session should be conducted
11 in a separate room, observing that food on the table would not be visible or
12 interfere with any Public Hearing.

13
14 Chairman Voytilla agreed with Mr. Bergsma, emphasizing that the City of
15 Beaverton does provide opportunities for Planning Commissioners to obtain
16 additional information and training.

17
18 Commissioner Maks expressed his appreciation of the *Planning Commission*
19 *Journal*, which is a publication that the Planning Commission subscribes to. He
20 requested that staff create a mini-library for the use of the Planning
21 Commissioners, suggesting that it include copies of the Development Code,
22 Comprehensive Plan and other documents and publications that could provide
23 information that might be helpful to Planning Commissioners.

24
25 On question by Chairman Voytilla, Mr. Bergsma described several training
26 opportunities available to Planning Commissioners and members of the staff,
27 including videotaped presentations that are available through the *American*
28 *Planning Association*.

29
30 **NEW BUSINESS:**

31
32 **WORK SESSION:**

33
34 **Tree Inventory Criteria**

35 Staff proposes to discuss various aspects of the tree inventory to be completed in
36 the next month, including information to be collected, information collection
37 methodology, draft significance criteria, the scope of the consultants' work, and
38 the schedule.

39
40 Senior Planner Barbara Fryer provided illustrations and briefly described areas
41 added to the natural resource map and discussed the recently adopted local
42 wetland inventory. She discussed the history of the tree inventory maps and
43 described staff's 1999 amendment to adopt certain maps that were intended to
44 provide a digital rendering of the significant tree inventory map. This included
45 the annexed areas and refinement of the groves, based on aerial photographs,
46 identifying where the groves had been removed. Consultants had also taken

1 photographs of each individual site and assessed the relative health of these sites.
2 At some point, it had been discovered that the significant tree inventory map had
3 not been adopted by the City Council and was not included within the Goal 5
4 resource program. A consultation with the *U.S. Fish and Wildlife Service* and the
5 *Oregon Department of Fish and Wildlife* had identified no significant wildlife
6 resources within the City of Beaverton using the "safe harbor" criteria.
7 Consequently, the remaining Goal 5 categories that could potentially serve to
8 protect trees would be the Scenic Views and Sites and the Open Spaces categories.
9 A request for proposals for a consultant to bid on this particular project had
10 resulted in a successful bid from *Winterowd Planning Services*. Observing that
11 scenic criteria must include clear and objective standards to determine which areas
12 of a particular grove would be preserved and which would not be preserved, she
13 identified inventory information staff would like to collect and a proposed
14 inventory schedule. She discussed the creation of an inventory format and
15 described the three different categories of significant trees located within the City
16 of Beaverton, including tree groves, individual trees and tree rows. She
17 mentioned ideas for significance criterion from a scenic perspective, noting that
18 this information had been included in the Planning Commissioners' packets. She
19 explained information she had distributed this evening, including an example of
20 an approach for Beaverton significance criteria and field sheet, emphasizing that
21 the areas considered would not be significant areas, as defined by Statewide
22 Planning Goal 5, which do not exist in the City of Beaverton. She discussed
23 potential ratings for specific types of trees and groves and provided several
24 illustrations.

25
26 Chairman Voytilla questioned why staff is not utilizing the services of an arborist,
27 rather than a land use consultant.

28
29 Ms. Fryer advised Chairman Voytilla that the land use consultant includes the
30 services of an arborist, adding that staff had determined that the bulk of the work
31 of this consultant would be done in the analysis of Environmental Social,
32 Economic and Energy (ESEE) consequences, although staff would be conducting
33 the inventory.

34
35 Chairman Voytilla referred to the background and examples provided by Ms.
36 Fryer, observing that much of this involves public ownership and is already
37 protected.

38
39 Ms. Fryer informed Chairman Voytilla that the Planning Commission had
40 instructed staff to determine whether any resources had not been included in the
41 previous inventory. She noted that Commissioner Maks had referred to a potential
42 grove of trees at the corner of Weir Road and Murray Boulevard that had not been
43 included. She pointed out that staff is considering the same geographic area that
44 had been considered for the Local Wetland Inventory, specifically from Highway
45 26 to the south, from 170th Avenue and Tualatin Valley Highway to 185th Avenue,

1 and to the Multnomah County line to the east. She pointed out that this includes
2 areas that the City of Beaverton would potentially serve in the future.

3
4 Commissioner Maks commended Ms. Fryer for her efforts on this project, noting
5 that he is not comfortable with the 50% and 60% thresholds and that he feels that
6 the guidelines are subjective.

7
8 Ms. Fryer advised Commissioner Maks that she had not actually anticipated that
9 the Commissioners would make a decision this evening regarding the significant
10 threshold. Observing that the data collection is important, she emphasized that
11 staff would like to capture all of the potential ideas available, in terms of
12 significance criteria. She mentioned that in August 1999, staff had requested a
13 continuance of CPA 99-00013/TA 99-00004 -- Goal 5 Wildlife Habitat and Tree
14 Preservation Amendments and CPA 99-00017/CPA 99-00018 -- Local Tree
15 Inventory Update until February 28, 2001, observing that some of these items
16 would be eliminated. She suggested meeting on that date and considering some
17 selected areas utilizing specific criteria and information while providing a
18 presentation including digital photographs in order to receive feedback from
19 Planning Commissioners.

20
21 Commissioner Maks expressed his approval of Ms. Fryer's suggestion for this
22 presentation.

23
24 Ms. Fryer emphasized that she prefers not to expend a great deal of time
25 inventorying areas that would not be necessary.

26
27 Commissioner Maks referred to the inventory schedule, specifically the necessity
28 of extending the time line or adjusting how this information would be compiled.
29 He pointed out that even the most organized NAC would take at least two months
30 to review and comment on this information.

31
32 Advising Commissioner Maks that she had considered this issue, Ms. Fryer
33 observed that the schedule would need to be tighter than the two months that he
34 had suggested. She mentioned that staff would most likely be refining the actual
35 maps until June 2001.

36
37 Commissioner Maks instructed Ms. Fryer to make certain that the NACs are all
38 aware of the time constraints involved, observing that this will assist the analysis,
39 reduce public tension and reduce questions by the Planning Commissioners.

40
41 Commissioner Heckman expressed his appreciation of the criteria provided by
42 Ms. Fryer, adding that he is having difficulty envisioning how certain categories
43 of information, such as impervious cover, forest cover, and slope, would be
44 accomplished.

45

1 Ms. Fryer advised Commissioner Heckman that staff anticipates that the City's
2 GIS System, which she referred to as an available resource, would be of assistance
3 with this task, and agreed that the potential for controversy does exist.
4

5 Chairman Voytilla questioned the possibility of simply identifying the potential of
6 significant trees, adding that this would provide a sort of a flag initiating a detailed
7 tree inventory at a future time.
8

9 Ms. Fryer indicated that she does not believe that this would meet the program
10 objectives of Goal 5, although this is a possible idea to follow up on. She
11 emphasized the necessity of obtaining quality, quantity and location information
12 on each resource prior to determining whether it is significant or not.
13

14 Commissioner Maks referred to a tract of trees near the Fire Station, between the
15 Fire Station and the Progress Golf Course, observing that this beautiful stand of
16 trees might be rated low sanctuary or refuge because it is fenced.
17

18 Ms. Fryer advised Commissioner Maks that this particular tract of trees would
19 likely be referred to as a moderate sanctuary or refuge if it is actually that isolated.
20 She added that deer can jump over fences, birds are oblivious to fences, and
21 squirrels typically crawl along power lines to reach their destination. She
22 discussed the difficulty of designing a program to preserve the existing trees that
23 are adjacent to development, noting that these groves have already been impacted,
24 are already susceptible to wind throw, and removing additional trees could create
25 additional problems.
26

27 Commissioner Maks pointed out that the three deer eating roses in his back yard
28 had come from this area.
29

30 Mr. Bergsma expressed concern with getting involved with issues such as
31 biological connectivity and sanctuaries, adding that the City of Beaverton had
32 determined a year ago to accept the safe harbor approach and that there would be
33 no detailed inventory of wildlife habitat within the City of Beaverton. He pointed
34 out that staff does not include ecologists and wildlife biologists and are unable to
35 make such an assessment, adding that any criteria proposed by a consultant would
36 be simplified.
37

38 Chairman Voytilla questioned a potential situation concerning a tree that is
39 significant relative to the aesthetics or size although it is anticipated that some
40 significant improvement, such as a road or a utility, could occur on that site.
41

42 Ms. Fryer observed that the ESEE inventory process first determines significance,
43 regardless of any potential developments or public projects proposed for the site.
44 Then the ESEE analysis is applied to all significant resources or trees, at which
45 time consideration is given to capital improvement programs and existing
46 development that has been approved, adding that the consequences of preserving

1 the resources or allowing development are then analyzed. She pointed out that
2 generally development takes precedence over preservation of a site. On question,
3 she advised Commissioner Maks that there is a middle option, which she
4 described as the program that would likely be adopted for the protection of the
5 Goal 5 resources.

6
7 Commissioner Maks mentioned efforts to maintain a tree located in the Cornell
8 Oaks area.

9
10 Ms. Fryer agreed that the tree maintained in the Cornell Oaks area is an example
11 of what she referred to the middle option, emphasizing that the goal is a balancing
12 of resource protection and development.

13
14 Chairman Voytilla expressed concern with areas in which two or three lane roads
15 are obviously destined to increase to three or five lanes, adding that efforts to
16 assess and inventory trees in the area create an unnecessary cost to the public.

17
18 Observing that Goal 5 does not work in quite that manner, Ms. Fryer advised
19 Chairman Voytilla that the intent is to inventory first, determine significance
20 second, conduct the ESEE analysis third, and based upon that ESEE analysis,
21 develop a program last.

22
23 Chairman Voytilla pointed out that this makes it necessary to inventory and
24 determine the significance of a tree, even with the knowledge that it is not feasible
25 for this tree to be preserved due to a proposed project. He questioned the
26 possibility of achieving this same goal without utilizing staff time and consultant
27 funding.

28
29 Associate Planner Veronica Smith pointed out that some of these issues would be
30 determined early in the procedure, allowing staff to focus on particular issues.

31
32 Ms. Fryer questioned whether any of the Commissioners would like to include any
33 additional information that might be necessary.

34
35 Chairman Voytilla observed that some of these significant trees would obviously
36 be located within private developed property.

37
38 Ms. Fryer mentioned that once the City Council takes action on the overall
39 inventories and significance criteria, a Comprehensive Plan Amendment would be
40 in effect. She noted that the consultant would create a brochure to be mailed out
41 to individuals who are within the affected area. This brochure would explain that
42 the City has identified significant trees on their property, what new regulations
43 might be in place with regard to the tree(s), and outlining some of the best
44 management practices for the maintenance of the tree(s).

45

1 Chairman Voytilla questioned whether any provision has been made for
2 enforcement.

3
4 Ms. Fryer pointed out that current enforcement typically involves a telephone call
5 indicating that an individual is removing a particular tree.

6
7 Chairman Voytilla suggested that it might be necessary to renew the inventory to
8 determine which trees had been removed, adding that tree removal is often done
9 on weekends and after business hours.

10
11 Commissioner Maks expressed his appreciation to Mr. Bergsma for the
12 information he had provided regarding concurrency.

13

14 **MISCELLANEOUS BUSINESS:**

15

16 The meeting adjourned at 9:42 p.m.